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Attorneys for Plaintiff
B&O Manufacturing, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

B&O MANUFACTURING, INC.,

Plaintiff,
v.

HOME DEPOT U.S.A., INC.,

Defendant.

Case No.: C 07-02864 JSW

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING DATE
ON DEFENDANT'S MOTION TO
DISMISS THIRD AMENDED
COMPLAINT

IT IS HEREBY STIPULATED by and between Plaintiff, through its attorneys of record, and Defendant, through its attorneys of record, as follows:

1. As counsel for Plaintiff is scheduled for trial in Santa Clara Superior Court, action number 1-07-CV-082907, beginning June 16, 2008, Plaintiff's counsel is unavailable to attend the hearing currently set for June 20, 2008.

2. The parties request that the Court continue the hearing date to July 18, 2008, at 9:00 a.m., a date suggested by the Court clerk.

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RICE & BRONITSKY
350 Cambridge Avenue, Suite 225
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650/289-9088

1 Dated: April 24, 2008

RICE & BRONITSKY

3 By: /s/ Paul E. Rice

4 Paul E. Rice
5 Attorneys for Plaintiff
6 B&O MANUFACTURING, INC.

7 Dated: April 24, 2008

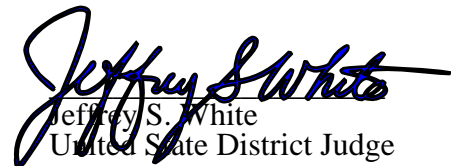
BONDURANT, MIXSON & ELMORE,
LLP

9 By: /s/ Ronan P. Doherty

10 Ronan P. Doherty
11 Christopher T. Giovinazzo
12 Attorneys for Defendant
13 Home Depot U.S.A., Inc.

12 This Order does not alter the briefing schedule previously set by the Court.
13 IT IS SO ORDERED.

15 Date: April 25, 2008

16 
17 Jeffrey S. White
18 United State District Judge